

- (c) a Psi packaging site located 3' to said splice donor site;
- (d) a [consensus] splice acceptor site located 3' to said Psi packaging site, wherein said splice acceptor site is derived from a wild type splice acceptor site necessary for the generation of the *env* mRNA of a wild type retrovirus;
- (e) an insertion site for a gene of interest located 3' to said [consensus] splice acceptor site;
- (f) a 3' LTR derived from a retrovirus of interest located 3' to said insertion site; and

wherein said vector does not contain a complete selectable marker gene used for the transduction of said cells, or a complete *gag*, *env*, or *pol* gene between said 5' and 3' LTR.

3. (Once Amended) A recombinant retroviral vector according to Claim 2, wherein said *gag* coding sequence comprises[,] a splice donor site located upstream from [and] a splice acceptor site, wherein said splice acceptor site is located upstream from said gene of interest.

4. (Once Amended) A recombinant retroviral vector according to Claim 3, said vector [further] comprising *gag* transcriptional promoter functionally positioned such that a transcript of a nucleotide sequence inserted into said insertion site is produced, wherein said transcript comprises *gag* 5' untranslated region.

10. (Four Times Amended) A recombinant retroviral vector useful to nonselectively transduce cells, said vector comprising:

- (a) a 5' LTR derived from a retrovirus of interest;
- (b) a Psi packaging site located 3' to said 5' LTR;
- (c) a [consensus] splice acceptor site located 3' to said Psi packaging site, wherein said splice acceptor site is derived from a wild type splice acceptor site necessary for the generation of the *env* mRNA of a wild type retrovirus;
- (d) an alpha globin transcriptional promoter located 3' to said Psi packaging site;
- (e) an insertion site for a gene of interest located 3' to said alpha globin transcriptional promoter;
- (f) a 3' LTR derived from a retrovirus of interest located 3' to said insertion site; and

wherein said vector does not contain a complete selectable marker gene used for the transduction of said cells, or a complete *gag*, *env*, or *pol* gene between said 5' and 3' LTRs.

21. (Four Times Amended) A recombinant retroviral vector useful to nonselectively transduce cells, comprising, a 5' LTR derived from a murine leukemia virus, a [consensus] splice acceptor site and an insertion site for a gene of interest located between said 5' and 3' LTRs, wherein said splice acceptor site is derived from a wild type splice acceptor site necessary for the generation of the *env* mRNA of a wild type retrovirus, and wherein said vector does not contain a complete selectable marker gene used for the transduction of said cells, or a complete *gag*, *env*, or *pol* gene.

44. (Once Amended) A recombinant retroviral vector useful to nonselectively transfect cells, comprising:

- (g) a 5' LTR derived from a retrovirus of interest;
- (h) a splice donor site located 3' to said 5' LTR;
- (i) a Psi packaging site located 3' to said splice donor site;
- (j) a [consensus] splice acceptor site, derived from [MOV- 9] MOV-9.1, located 3' to said Psi packaging site;
- (k) an insertion site for a gene of interest located 3' to said [consensus] splice acceptor site;
- (l) a 3' LTR derived from a retrovirus of interest located 3' to said insertion site; and

wherein said vector does not contain a complete selectable marker gene used for the transfection of said cells, or a complete *gag*, *env*, or *pol* gene between said 5' and 3' LTR.

In the Figures:

Please substitute amended informal Figures 1, 3, 7, 8, 9B, 10, 11A-C, 15, and 17 for the same as filed. (On even date herewith, Applicants have filed by First Class Mail a separate letter to the Official Draftsperson requesting these amendments.)

In Fig. 1, "3' ss' " has been replaced with - - 3' ss - - and the letters made smaller.

In Fig. 3, the typographical error, "Asp7" has been replaced with - - Asp718 - -.

In Fig. 7, "VII" has been replaced with - - VIII - -.

In Fig. 8, "α" has been replaced with - - αSGC - -.

In Fig. 9B, "1056" has been replaced with - - 1036 - -; "Xho2" has been replaced with - - XhoI - - (support for which can be found at page 29, lines 14-18 and in Fig. 9A (I); a - - C - - has been added to the sequence, second line, third nucleotide from the right (support for which can be found at page 30, line 1); and "8 bp" which is a typographical error has been replaced with - - 18 bp - - in the correct position between the indicators of XbaI and BamHI (support for which can be found in Fig. 9B at (V).

In Fig. 10, "BAMGI" has been replaced with - - BAMHI - -.

Figs. 11A, B, and C as originally filed have been replaced with Figs. 11A, B, and C enclosed herewith, and in which the "A", "B", and "C" designations are accurately placed and cross-hatching used.

In Fig. 15, "An3' " has been replaced with --  $[A]_n 3'$  --.

In Fig. 17, the nucleotide numbering on the left hand side of the sequence has been restored.

#### REMARKS

At the outset, applicants wish to thank the Examiner for the courtesy of the interview held on October 20, 1999. At that interview, the outstanding rejections and proposed amendments to the specification, claims, and drawings were discussed. Certain issues discussed at the interview will be described in detail below.

Reconsideration of the present application in view of the above amendments, the interview, and the following remarks is respectfully requested.

Claims 1-4, 6-31, and 35-44 are pending in this application. Claims 1, 3, 4, 10, 21, and 44 have been amended. Claims 38-41 have been allowed.

The specification has been amended to correct inadvertent typographical errors and grammatical mistakes. These amendments contain no new matter, as support can be found throughout the specification and figures. Support for the amendment made to page 10, lines 27-28 can be found in original Figs. 11A and 11B, and on page 9, line